

REMARKS

Objections Under 37 C.F.R. 1.75(c)

Claims 5-15 and 17 are objected to under 37 C.F.R. 1.75(c) as being in improper form because a multiple dependent claim cannot depend upon a multiple dependent claim.

Claims 5-15 and 17 have been amended to correct the multiple dependencies, thereby obviating this objection.

Rejection Under 35 U.S.C. § 101

Claim 16 is rejected under 35 U.S.C. 101 on the grounds that the claimed recitation of a use, without setting forth any steps involved in the process, results in an improper definition of a process.

To facilitate prosecution, claim 16 has been canceled, thereby rendering this rejection moot.

Rejections Under 35 U.S.C. § 112, First Paragraph

Claims 1-4 and 16 are rejected under 35 U.S.C. 112, first paragraph, as allegedly containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the art that the inventors, at the time the application was filed, had possession of the claimed invention. Claims 1-4 and 16 are also rejected under 35 U.S.C. 112, first paragraph, as allegedly failing to comply with the enablement requirement. In particular, the Office Action appears to take issue with claim 1, part (iv), and recitation of the limitation “one or more polypeptide antigens from sergroup B”.

To facilitate prosecution, claim 1, part (iv) has been amended to specify five specific serogroup B antigens, based on original claim 8. Furthermore, the five antigens are defined by reference to specific sequences, based on pages 11-13 of the specification.

It is believed that the rejections under 35 U.S.C. 112, first paragraph, are rendered moot with the amendment of claim 1.

Rejection Under 35 U.S.C. § 103(a)

Claims 18-20 are rejected under 35 U.S.C. 103(a), as allegedly being unpatentable over Ryall (WO 2002/058737) in view of Boutriau et al. (WO 2002/00249).

To facilitate prosecution, claims 18-20 have been canceled, thereby rendering this rejection moot. Applicants will pursue the canceled claims in a continuation application.

CONCLUSION

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding objection and rejections of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

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Respectfully submitted,

NOVARTIS VACCINES AND DIAGNOSTICS, INC.

/Helen Lee/

By

Helen Lee
Registration No. 39,270

Customer No. 27476
NOVARTIS VACCINES AND
DIAGNOSTICS, INC.
Telephone: (510) 923-2192
Facsimile: (510) 655-3542